

Derek W. Loeser (admitted *pro hac vice*)
KELLER ROHRBACK L.L.P.
1201 Third Avenue, Suite 3400
Seattle, WA 98101
Tel.: (206) 623-1900
Fax: (206) 623-3384
dloeser@kellerrohrback.com

Joshua S. Lipshutz (SBN 242557)
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
Tel.: 202.955.8500
Fax: 202.467.0539
jlipshutz@gibsondunn.com

Lesley E. Weaver (SBN 191305)
BLEICHMAR FONTI & AULD LLP
1330 Broadway, Suite 630
Oakland, CA 94612
Tel.: (415) 445-4003
Fax: (415) 445-4020
lweaver@bfalaw.com

Christopher Chorba (SBN 216692)
Timothy W. Loose (SBN 241037)
tloose@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Tel.: 213.229.7000
Fax: 213.229.7520

Plaintiffs' Class Counsel
Additional counsel listed on signature page

Attorneys for Defendant Meta Platforms, Inc.
Additional counsel listed on signature page

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION

MDL No. 2843
Case No. 18-md-02843-VC

This document relates to:

ALL ACTIONS

**JOINT NOTICE REGARDING
MINIMUM AND DEFAULT PAYMENTS**

Judge: Hon. Vince Chhabria
Courtroom: 4, 17th Floor

As the Parties have previously advised the Court, Angeion has completed its calculation and determination of the allocation of Settlement benefits to each Settlement Class Member, and an independent third party accounting firm has confirmed the accuracy of the amounts calculated for distribution. *See* Dkt. 1238 at 2. Pursuant to those calculations, the average payment amount is approximately \$29.43, and the maximum payment amount is approximately \$38.36—an amount that corresponds with the payment to Authorized Claimants who were Facebook Users with activated accounts for all 188 months during the Class Period. *See* Dkt. 1096-3.

Pursuant to Paragraph 6 of the Settlement’s Plan of Allocation, Dkt. 1096-3 at 4, the Parties hereby notify the Court that the Settlement Administrator has exercised its discretion to set a minimum payment amount to Authorized Claimants, with the goal of ensuring that payments to Authorized Claimants are administratively and economically feasible and that as much of the Net Settlement Fund as possible is actually distributed to Authorized Claimants. After consulting with the Parties, the Settlement Administrator set the amount for minimum payments at approximately \$4.89—an amount that corresponds with the payment to Authorized Claimants who were Facebook Users with activated accounts for 24 months during the Class Period. *See* Dkt. 1096-3 at 3. In setting the minimum payment amount, the Parties considered the opinion of Prof. Lynn Baker that the minimum payment amount is at a level that will make it more likely that claimants will redeem the payments, while not materially impacting the payments to other claimants. Prof. Baker will set forth her opinion in a declaration to be submitted to the Court in the context of the post-distribution accounting.

Additionally, the Parties hereby provide notice of a default payment that will be made to Authorized Claimants for whom the available data was inadequate to determine the number of calendar months “during which an Authorized Claimant was a Facebook user with an activated account during the Class Period” pursuant to Paragraph 5 of the Settlement’s Plan of Allocation, Dkt. 1096-3 at 3. As a result, the Settlement Administrator was unable to determine the start date and, thus, the number of months during which these Authorized Claimants were users with activated accounts during the Class Period. In consultation with the Parties, the Settlement

Administrator sent notices to this subset of Authorized Claimants requesting that they provide the approximate start dates of their current Facebook accounts and informing them that they would receive a default payment if they did not respond, followed by reminders requesting and providing the same information.

Those Authorized Claimants who did not respond were therefore assigned a default payment. After consulting with Class Counsel, the Settlement Administrator set the default payment amount at approximately \$26.73, an amount that corresponds to the payment to Authorized Claimants with activated accounts for 131 months during the Class Period—a period of time determined by reference to the average months on platform for all Settlement Class Members.¹ In considering the proposed default payment amount, the Parties considered the opinion of Prof. Lynn Baker that the default payment is set at a level that strikes a reasonable balance between providing meaningful compensation to Authorized Claimants who receive default payments, while also treating other Authorized Claimants equitably. Prof. Baker will set forth her opinion in a declaration to be submitted to the Court in the context of the post-distribution accounting.

Dated: September 5, 2025

Respectfully submitted,

KELLER ROHRBACK L.L.P.

BLEICHMAR FONTI & AULD LLP

By: /s/ Derek W. Loeser
Derek W. Loeser

By: /s/ Lesley E. Weaver
Lesley E. Weaver

Derek W. Loeser (admitted *pro hac vice*)
Cari Campen Laufenberg (admitted *pro hac vice*)
David Ko (admitted *pro hac vice*)
Adele A. Daniel (admitted *pro hac vice*)
Benjamin Gould (SBN 250630)
1201 Third Avenue, Suite 3400
Seattle, WA 98101
Tel.: (206) 623-1900
Fax: (206) 623-3384

Lesley E. Weaver (SBN 191305)
Anne K. Davis (SBN 267909)
Joshua D. Samra (SBN 313050)
1330 Broadway, Suite 630
Oakland, CA 94612
Tel.: (415) 445-4003
Fax: (415) 445-4020
lweaver@bfalaw.com
adavis@bfalaw.com

¹ Specifically, this number represents the twenty-fifth percentile of months on platform as compared to all Authorized Claimants.

dloeser@kellerrohrback.com
claufenberg@kellerrohrback.com
dko@kellerrohrback.com
adaniel@kellerrohrback.com
bgould@kellerrohrback.com

jsamra@bfalaw.com

Christopher Springer (SBN 291180)
801 Garden Street, Suite 301
Santa Barbara, CA 93101
Tel.: (805) 456-1496
Fax: (805) 456-1497
cspringer@kellerrohrback.com

Plaintiffs' Class Counsel

Dated: August 14, 2025

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Christopher Chorba
Joshua S. Lipshutz (SBN 242557)
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
Tel.: 202.955.8500
Fax: 202.467.0539
jlipshutz@gibsondunn.com

Christopher Chorba (SBN 216692)
Timothy W. Loose (SBN 241037)
tloose@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Tel.: 213.229.7000
Fax: 213.229.7520

Attorneys for Defendant Meta Platforms, Inc.

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Derek W. Loeser, attest that concurrence in the filing of this document has been obtained from the other signatory. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of September, 2025, at Seattle, Washington.

/s/ Derek W. Loeser

Derek W. Loeser